

# **Idaho School for the Deaf and the Blind**

## **Policies and Procedures**

### **Section: 1200**

#### **Subsection: Student Records & Confidentiality**

**Revised July 2005**

**Reference:** P.L. 93-380 (FERPA)  
IDEA  
Idaho Special Education Manual

**Purpose:** To establish parents' and students' access to individual school records held by ISDB.

#### **Policy:**

The Family Educational Rights and Privacy Act, enacted as part of the Education Amendments of 1974, P. L. 93-380, establishes the rights of parents to have access to their children's school records, and limits the disclosure of personally identifiable information from school records without parental consent. If students are eighteen years of age, they can sign for records on their own behalf.

#### **Procedure:**

The Idaho School for the Deaf and the Blind (ISDB) shall provide parents access to their children's records maintained by the school. The term "parent" as used throughout this policy refers to the actual biological parent or legal guardian. If the student has attained eighteen years of age, then all authority to grant access to records transfers to that student/emancipated individual. All rights of access to records previously afforded to the parents are now invalid. If, however, the student is still bound under any form of court order granting custody to another adult, that legal guardian will still have individual access to records.

The term "student permanent record" as used in this policy refers to all records and data directly related to an individual student which is incorporated into each student's cumulative permanent record and intended for use by the various school departments within the agency. The record of information maintained by special services is included as part of the student's cumulative permanent record. Examples of records most often found in student permanent records include academic work completed, attendance data, scores on standardized tests, student interests inventory data, health data and family background information, and special education records including assessment results and Individualized Education Programs (IEP).

Information and data, including transcripts, may not be released from any student's file, without signed authorization of the parent or legal guardian except when used by school district personnel who have a legitimate education interest, **or** when information is requested for research approved by the district, **or** when information becomes necessary for official audits, **or** when information is necessary for evaluations where the individual student is not identified, **or** when information is sent to schools from which notification is received that the student intends to enroll/transfer there.

Signed authorizations granting access to records will become part of the student's permanent record. Each authorization must name the persons to receive the information from the student's record, specify what information is to be released, and state the reason for releasing the information.

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To review a student's permanent records, parents should arrange an appointment with the school principal or other appropriate official. Notification may be in writing, by telephone or a personal visit. The request and date of intended visit/review shall be noted on the access form and placed in the student's record.

The child's record shall be shown to the parent by the principal or his designee with explanation given where necessary, within the time limit established by law.

In the case of students who have been referred to special services, parents may have access to their child's records upon request provided they arrange an appointment with the special services staff member who has done the testing and/or collected the information included in the record so this person can be present to explain the record and answer any questions. If this person is not available, the Director of that department will appoint another person from the department to review the record with the parent.

An opportunity will be given to parents to challenge any information contained in the child's records or the privacy of such record and to have a hearing with school personnel designated by the principal as knowledgeable of the child's record. A record of any challenge including date of challenge, names of persons filing the challenge and disposition of the challenge will be placed in the student's permanent record. The Principal or appropriate school official should not leave student records alone with the parent or legal guardian and should maintain direct custody at all times. If for any reason the school official must leave the room, they should arrange for another staff member to temporarily supervise the review as it continues. If copies of appropriate materials are requested, the complete record should be taken to the copier and appropriate documents removed and replaced by the school official for copying.

With the exception of transcripts and documentation of the disability conditions, all material in a student's record will be destroyed within five years after the student concludes attendance at the residence campus or graduates from twelfth grade. A transcript is limited to identifying data, academic work completed, level of achievement, attendance data, scores of standardized intelligence, aptitude and psychological tests, interest inventory results, health data, family background information and other pertinent data as from time to time determined by the agency. Parents/guardians or adult students will be given the option of obtaining copies of the records upon leaving the Campus/school, or notified 60 days prior to scheduled destruction.

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Revised/Approved – July 2005

Harvey W. Lyter III, Interim Superintendent